

Amendments to the Drawings:

Replacement sheets for FIGS. 1-5 are enclosed which formalize the drawings that were submitted with the application. No other changes have been made. Approval by the Examiner is respectfully requested.

REMARKS

The present application was filed on June 26, 2003 with claims 1-17. Claims 1-17 remain pending on the application. Claims 1 and 10 are the independent claims.

Replacement sheets for FIGS. 1-5 are enclosed which formalize the drawings that were submitted with the application.

Claims 1-4, 6, 7, 9-12 and 17 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0003576 (hereinafter "Konishi").

Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Konishi.

Claims 5 and 13-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Konishi in view of U.S. Patent No. 6,018,362 (hereinafter "Suzuki").

In this response, Applicants amend independent claims 1 and 10 in a manner that is believed to overcome the rejections. Applicants respectfully request reconsideration of the present application in view of the above amendments and the remarks below.

Applicants have amended independent claim 1 to clarify that the first and subsequent image frames are compressed using intraframe coding, and stored as respective intracoded frames. In the final Office Action at pages 2-3, the Examiner suggested that the recited difference in target data rate for compression of the first and subsequent image frames in the claims as previously presented could be met by the first image frame being an intraframe coded frame or I frame and the subsequent image frames being predictive coded (P) or bidirectionally predictive coded (B) frames, as in conventional MPEG compression. The present amendment addresses this argument advanced by the Examiner.

In claim 1 as amended, both the first image frame and at least one subsequent image frame of a motion video image file are intracoded frames, and yet the intraframe coding of the first image frame uses a higher target data rate than the intraframe coding of the subsequent image frame. A similar amendment has been made to independent claim 10.

Support for the amendments can be found in the specification at page 6, line 17, to page 7, line 31. It should be noted that the recited motion video image

files may comprise, for example, only intracoded frames, or intracoded frames interspersed with one or more intercoded frames, such as P or B frames. The claims as amended require only an initial intracoded frame and at least one subsequent intracoded frame, with the intraframe coding of these frames being implemented using respective first and second target data rates where the second target data rate is lower than the first target data rate.

Applicants again submit that the DCF file in Konishi is used only for index purposes, and is not itself part of the compressed version of the motion image sequence that is generated by MPEG4 encoder 201 in FIG. 23. For example, with reference to the flow diagram of FIG. 27 of Konishi, a given index file, such as index a, index b or index c in FIGS. 25 and 26a, is not generated until step S134, after the video compression processing of step S132 is completed. See paragraph [0132]. Moreover, the index files are stored separately from their respective motion video files, as is clearly shown in FIG. 26A.

Moreover, even if one were to assume for purposes of argument that the index file is part of the motion video file in Konishi, any intracoded frames of that file will be compressed using the same target data rate, and not different target data rates as recited in claims 1 and 10 as amended.

Accordingly, it is believed that Konishi fails to meet the limitations of claims 1 and 10 as amended.

Dependent claims 2-9 and 11-17 are believed allowable for at least the reasons identified above with regard to their respective independent claims. The Suzuki reference fails to supplement the above-noted deficiencies of Konishi as applied to claims 1 and 10.

If there are any formal matters remaining after this response,
Applicants' attorney would appreciate a telephone call to attend to these matters.

In view of the foregoing, this application is believed to be in condition
for allowance, the notice of which is respectfully requested.

Respectfully submitted,



Thomas D. Strouse
Attorney for Applicant(s)
Registration No. 53,950

TJS:pw
Telephone: (585) 588-2728
Facsimile: (585) 477-4646